

Applicant : Michael Kwiecien
Serial No. : 10/798,496
Filed : March 11, 2004
Page : 9 of 10

Attorney's Docket No.: 00216-618001 / Case 8109

REMARKS

Applicants' independent claims have been amended to recite that the exfoliating elements comprise abrasive particles. Support for this amendment is found, for example, at page 6, line 17 of Applicants' specification.

Claim 7 has been rejected under 35 U.S.C. 112, second paragraph, as indefinite. Claim 7 has been amended to address this rejection.

Claims 1-3, 26, 27, 30, 31 and 33 have been rejected under 35 U.S.C. 102(b) as anticipated by Perricone, and claims 5, 13, 14, 16, 18-22, 24 and 28 have been rejected under 35 U.S.C. 103(a) as unpatentable over Perricone combined with Tseng. While not conceding that these rejections are proper, Applicants believe that these rejections have been clearly obviated by the present amendment. Neither Perricone nor Tseng discloses abrasive particles.

Claims 1-10, 12-16, 18-22 and 24-36 have been rejected as unpatentable over Tseng in view of Wdowik. This rejection is respectfully traversed. The ordinarily skilled artisan would not have considered it obvious to combine the teachings of Wdowik with those of Tseng, for several reasons. First, Tseng pertains to solid shaving aid composites that are mounted on razors, whereas Wdowik pertains to shaving compositions that are applied to the skin, for example gels, creams, solids, liquids or aerosols (see Wdowik, e.g., col. 3, lines 24-33). The artisan would not have had a reasonable expectation of success in adding an ingredient intended for use in a shaving composition to a solid shaving composite. Second, Tseng's shaving aid composite includes lubricious shaving aids that are intended to enhance shaving comfort and reduce irritation (see, e.g., col. 3, line 48-col. 4, line 22). The artisan would have believed that the addition of abrasive particles would increase friction between the skin and the shaving aid composite and thus defeat Tseng's purpose of increasing lubricity and thus enhancing shaving comfort.


In view of the above, Applicants respectfully request that the rejections be withdrawn and all claims be allowed.

It is believed that no fees are due with this response. Please apply any charges or credits to deposit account 06-1050, referencing Attorney Docket No. 00216-618001.

Applicant : Michael Kwiecien
Serial No. : 10/798,496
Filed : March 11, 2004
Page : 10 of 10

Attorney's Docket No.: 00216-618001 / Case 8109

Respectfully submitted,


Dara M. Kendall
Reg. No. 43,709

Date: November 21, 2006

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 421-7905
Facsimile: (513)945-2955

21420550.doc